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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF (PSG)

**DECLARATION OF JUDITH A.  
CHEVALIER IN SUPPORT OF CISCO'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT**

1 I, Judith A. Chevalier, declare as follows:

2 1. I am the William S. Beinecke Professor of Economics and Finance at the Yale  
3 University School of Management. I also hold a joint courtesy appointment at the Yale  
4 Department of Economics. I received my undergraduate degree in Economics from Yale  
5 University in 1989 and my Ph.D. in Economics from the Massachusetts Institute of Technology in  
6 1993. I submit this declaration in support of Plaintiff Cisco Systems, Inc.'s ("Cisco") Motion for  
7 Partial Summary Judgment. I make this declaration based on my own personal knowledge. If  
8 called as a witness, I could and would testify competently to the matters set forth herein.

9 2. I have been retained to provide economic analysis related to Arista Networks, Inc.'s  
10 ("Arista") alleged infringement of Cisco's asserted copyrighted works and patent and related  
11 damages.

12 3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of my June 17,  
13 2016 Rebuttal Expert Report on Fair Use ("Chevalier Rebuttal Report") which is a true and correct  
14 expression of my opinions based on the facts I currently know. In the Chevalier Rebuttal Report, I  
15 comment on the fair use opinions offered by Arista's expert witnesses related to "the effect of the  
16 use upon the potential market for or value of the copyrighted work" with respect to Arista's  
17 infringement of Cisco's copyrighted works, as set forth in the Expert Report and Disclosure of  
18 Cate M. Elsten and the Opening Expert Report of William M. Seifert, both dated June 3, 2016.  
19 The Chevalier Rebuttal Report also provides a more detailed description of my qualifications and  
20 experience, including a CV which is attached thereto as Exhibit 1.

1 I declare under penalty of perjury that the foregoing is true and correct, and that this  
2 declaration was executed in New Haven, Connecticut on June 30, 2016.

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